

Hon. Barbara J. Rothstein

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DA LI DEVELOPMENT USA, LLC, a
Washington limited liability company,

Plaintiff,

v.

DONALD GAUBE, an individual; DAVID
KRAM, an individual; RICHART RUDDIE, an
individual; and JERROLD KRAM, an
individual,

Defendants.

Case No. 2:25-cv-00150-BJR

STIPULATION AND ORDER
SETTING DEADLINE FOR
DEFENDANTS' CONSOLIDATED
MOTION

STIPULATION

The undersigned parties, by and through their respective counsel of record, hereby stipulate to the entry of the proposed order set forth below, extending the date by which Defendants indicated they would file their Motion to Stay, as referenced in the Joint Status Report filed on March 10, 2025. Dkt. 12. In support of this request, the parties represent the following to the Court:

1 1. Plaintiff Da Li Developments USA, LLC (“**Plaintiff**”) filed a complaint in
2 King County Superior Court against Defendants Donald Gaube, David Kram, Richart Ruddie,
3 and Jerrold Kram (collectively, “**Defendants**”) on February 11, 2025. Dkt. 1.

4 2. Defendants removed the complaint to this Court on January 23, 2025 (Dkt. 1),
5 and filed their Answer to the Complaint on February 11, 2025. Dkt. 11.

6 3. On March 10, 2025, the parties filed a Joint Status Report in which Defendants
7 indicated their intent to file a Motion to Stay by March 28, 2025. Dkt. 12.

8 4. The Court thereafter issued a minute order finding good cause to defer entry
9 of a case schedule pending its ruling on Defendants’ forthcoming Motion to Stay.

10 5. Due to recently arising and conflicting obligations, Defendants’ undersigned
11 counsel requests a brief extension to file Defendants’ anticipated motion, specifically until
12 Tuesday, April 1, 2025.

13 6. In addition, based on ongoing analysis, Defendants anticipate filing by the
14 above date a consolidated motion seeking: (a) summary judgment or, in the alternative, (b)
15 an order compelling arbitration, or (c) to stay based on a related arbitration proceeding, as set
16 forth in the Joint Status Report.

17 7. Defendants’ counsel has informed Plaintiff’s counsel of Defendants’ intent to
18 file the consolidated motion by April 1, 2025. While reserving all defenses to the motion,
19 Plaintiff’s counsel does not object to the requested extension.
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1 8. Based on the foregoing, Plaintiff and Defendants agree that, under the
2 circumstances, Defendants shall (a) file the consolidation motion *by April 1, 2025*.¹
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25 ¹ The Parties' Proposed Motion included a noting date. However, as stated in this
26 Court's Standing Order, ECF No. 5 at 2 (§ II.A), this Court does not use noting dates. Consistent with the Standing Order, Plaintiffs' response will be due on or before April 22, 2025, and Defendants' reply will be due on or before May 6, 2025.

ORDER

IT IS SO ORDERED.

The parties shall adhere to the schedule set forth above.

Dated this 31st day of March 2025.



HON. BARBARA ROTHSTEIN
United States District Judge

DATED: March 28, 2025.

Jointly Presented:

BAILEY DUQUETTE P.C.

By /s/ Hozaiifa Y. Cassubhai

Hozaiifa Y. Cassubhai, WSBA No. 39512

William R. Burnside, WSBA No. 36002

800 Fifth Avenue, Suite 101-800

Seattle, Washington 98104

Phone: 206.225.2250

Email: hozaifa@baileyduquette.com

will@baileyduquette.com

Attorneys for Defendants

McGLINCHEY STAFFORD PLLC

By: s/ Chase E. Stoecker

Chase E. Stoecker, WSBA No. 62536

201 E. Kennedy Blvd., Suite 1200

Tampa, Florida 33602-5827

Phone: (954) 356-2514

Email: cstoecker@mcglinchey.com

Heidi Urness, WSBA No. 53165

2101 Fourth Avenue, Suite 2050

Seattle, Washington 98121

Phone: (206) 657-8825

Email: hurness@mcglinchey.com

1 *Attorneys for Plaintiff*

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